

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT HUNTINGTON

FILED

SEP - 1 2010

TERESA L. DEPPNER, CLERK
 U.S. District Court
 Southern District of West Virginia

OVEC, et al.

V.

APOGEE, et al.

EXHIBIT LIST - CIVIL

CIVIL ACTION 3:07-413, et al.

PRESIDING JUDGE OR MAGISTRATE JUDGE: Honorable Robert C. Chambers				PLAINTIFF ATTORNEY(S): Joe Lovett, Derek Teaney, James Hecker		DEFENDANT ATTORNEY(S): Thomas Hurney, Blair Gardner, Robert McLusky, Richard Verheij	
PROCEEDING DATE(S): 08/09/10 -				COURT REPORTER: Teresa Ruffner		COURTROOM DEPUTY: Terry Justice	
PLFT. NO.	DEFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION	LOCATION	
15		08/09/10 +	✓	✓	Description of flows	Clerk	
JT 17		08/09/10 +	✓	✓	Technical Memorandum 08/12/08	Clerk	
58		08/09/10 +	✓	✓	emails beginning 01/06/09	Clerk	
59		08/09/10 +	✓	✓	letter from Potesta to Crawford 01/07/09	Clerk	
16		08/09/10 +	✓	✓	letter from Potesta to Crawford 01/20/09	Clerk	
60		08/09/10 +	✓	✓	letter from Potesta to Crawford 07/29/09	Clerk	
17		08/09/10 +	✓	✓	emails from McHale to Bell 07/23/09	Clerk	
21		08/09/10 +	✓	✓	email from McHale to Gardner 08/07/09	Clerk	

JT = Joint exhibit

EXHIBIT LIST - CIVIL (Cont'd.)

OVEC, et al. APOGEE, et al. V.					CASE NUMBER 3:07-413, et al.	
PLTF. NO.	DEFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION	LOCATION
JT 4		08/09/10	✓	✓	Technical Memorandum 01/26/09 Watershed Flow	Clerk
JT 5		08/09/10	✓	✓	Technical Memorandum 01/26/09 Selenium	Clerk
JT 21		08/09/10	✓	✓	Technical Memorandum 09/02/09 ABMet System	Clerk
JT 18		08/09/10	✓	✓	Power Point 10/01/08 Ruffner Mine	Clerk
46		08/09/10	✓	✓	Fluidization Bed Reactor Pilot Study	Clerk
41		08/09/10	✓	✓	WVDEP Discharge Monitoring Report	Clerk
JT 11		08/10/10	✓	✓	Review Available Tech. Removal of Selenium	Clerk
JT 39		08/10/10	✓	✓	Final Report for Magnum Coal	Clerk
1		08/10/10	✓	✓	CV John Koon	Clerk
5		08/10/10	✓	✓	group of photographs	Clerk
61		08/10/10	✓	✓	group of 3 photographs	Clerk
62		08/10/10	✓	✓	110 week schedule	Clerk
63		08/10/10	✓	✓	Patriot FBR schedule	Clerk
64		08/10/10	✓	✓	emails from Bell to McHale 06/09/09	Clerk
JT 13		08/10/10	✓	✓	Duff & Phelps report	Clerk

EXHIBIT LIST - CIVIL (Cont'd.)

OVEC, et al. APOGEE, et al. V.					CASE NUMBER 3:07-413, et al.	
PLTF. NO.	DEFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION	LOCATION
65		08/10/10	✓	✓	10-Q Patriot Coal	Clerk
JT 32		08/10/10	✓	✓	10-K Patriot Coal	Clerk
66		08/10/10	✓	✓	10-Q Patriot Coal 08/06/10	Clerk
3		08/11/10	✓	✓	CV Harry Potter	Clerk
67		08/11/10	✓	✓	McHale deposition vol. II	Clerk
2		08/11/10	✓	✓	CV Dr. Michael Kavanaugh	Clerk
68		08/11/10	✓	✓	model for calculating economic benefits	Clerk
69		08/11/10	✓	✓	spreadsheet	Clerk
	4	08/11/10	✓	✓	resume Timothy Harrison	Clerk
	JT 3	08/11/10	✓	✓	Technical Memorandum Screening-Level	Clerk
	JT 2	08/11/10	✓	✓	Technical Memorandum Basis of Design	Clerk
	JT 6	08/11/10	✓	✓	Memorandum CH2M Hill Review Pilot	Clerk
	JT 7	08/11/10	✓	✓	Memorandum CH2M Hill Review i Filtration	Clerk
	JT 8	08/11/10	✓	✓	Memorandum CH2M Hill Review Comments	Clerk
JT 14		08/11/10	✓	✓	Preprint 10-142	Clerk

EXHIBIT LIST - CIVIL (Cont'd.)

OVEC, et al. APOGEE, et al. V.					CASE NUMBER 3:07-413, et al.	
PLTF. NO.	DEFT. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION	LOCATION
	11	08/11/10	✓	✓	CV Thomas Sandy	Clerk
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